IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE THIRTY FIRST DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

and
THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 22506 of 1995

Between:

Andhra Pradesh Fibres Ltd., rep. by Sri D. Balaji, Director
Jeegiram (V), Salur (M), Vizianagaram Dist.

..... PETITIONER

AND

The Commercial Tax Officer Parvathipuram, Vizianagaram Dist.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ or Direction declaring that the action of the respondent in issuing the Notice in G.I.No.1550/RC.No.457/89 dt: 11-9-1995 to the petitioner is not only without jurisdiction but also totally arbitrary, capricious and unreasonable and unjust and voilative the fundamental rights guaranteed to the petitioner, its shareholders and its workers under Articles, 14, 19(1)(g) and 21 of the Constitution of India respectively and issue the consequential direction to the respondent not to take any coercive steps against the petitioner for collection of arrears of sales tax and purchase tax.

Counsel for the Petitioner:MR.S.SRI RAM REDDY, Advocate.

Counsel for the Respondent : GP FOR COMMERCIAL TAXES.

The Court made the following :

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ORDER : (per Sri Bilal Nazki, J)

Counsel for petitioner submits that he has already paid the tax due and he has discharged his liability under a scheme enunciated by the Department and therefore the Writ Petition has become infructuous. In this view of the matter, the Writ Petition is dismissed as 'infructuous'. No costs.

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(BILAL NAZKI, J)

31st August, 2004.

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(S.ANANDA REDDY, J)

ajr

To

1 The Commercial Tax Officer Parvathipuram, Vizianagaram Dist.

2 Two C.Cs. to the Government Pleader for Commercial Taxes, High Court Buildings, Hyderabad (O.U.T)

3 Two C.D. copies.